S
338.04025
H3 dben
Feb. 1991

Montana State Library
3 0864 1004 5704 6

MONTANA

Department Of Highways

STATE DOCUMENTS COLLECTION

FEB 25 1991

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620

D.B.E.

NEWSLETTER

PLEASE RETURN

FEBRUARY 1991

Helena, Montana

1991 LABOR COMPLIANCE, EEO AND DBE CONTRACTOR'S TRAINING

WHO SHOULD ATTEND: THOSE RESPONSIBLE FOR CERTIFIED PAYROLLS, EEO OFFICERS AND OTHER INTERESTED PERSONS.

TOPICS:

LABOR:

FRINGE BENEFITS: CHANGING PAY RATES TO ACCOMMODATE BARGAINING AGREEMENTS, PAYING OVERTIME, PAYING TO THE FUND/TO THE EMPLOYEE.

MATERIAL SUPPLIERS: SITE OF WORK (IS IT REALLY COVERED?)

OWNER/OPERATORS: WHO IS COVERED?

EEO:

COMPLIANCE REVIEWS: WHY IS THERE A 25% CONTRACTOR FAIL RATE? WHAT CAN WE DO ABOUT IT?

DBE:

PROGRAM CHANGES: CLOSER REVIEW OF CERTIFICATION AND RECERTIFICATION, PROPOSED MENTOR/PROTEGE PROGRAM.

SUPPORTIVE SERVICE CONTRACTORS AND YOU.

WESTERN	**EASTERN**
MARCH 1, 1991	MARCH 14, 1991
COLONIAL INN - HELENA	CAREER CENTER - BILLINGS
2301 Colonial Dr., Helena	3723 Central Avenue

BOTH WORKSHOPS WILL START PROMPTLY AT 10 A.M. AND END AT 3 P.M.

Pre-registration is not necessary. For further information call Sam Prestipino at 444-6331. Hope to see you there!

The Civil Rights Newsletter is published on a semi-annual basis by the Montana Department of Highways' Civil Rights Bureau.

Raymond D. Brown, Chief
Civil Rights Bureau
(406) 444-6333

Vicky A. Koch
EEO Program Officer
(406) 444-6335

Sam Prestipino
Compliance Specialist - Labor Compliance
(406) 444-6334

Misty J. Hammerbacker
DBE Program Specialist
(406) 444-6337

Debbie Johnke
Program Assistant
(406) 444-6331

1991 MONTANA BID LETTINGS

The Montana Highway Commission has approved the following bid letting dates for 1991.

March 28, 1991
April 25, 1991
May 23, 1991
June 27, 1991
July 25, 1991
August 22, 1991
September 26, 1991
October 24, 1991
December 5, 1991

1991 BID LETTING DATES

Following are the 1991 schedules of bid lettings for North Dakota, South Dakota and Wyoming.

North Dakota

March 22, 1991
April 19, 1991
May 17, 1991
June 21, 1991
July 26, 1991
September 20, 1991
November 15, 1991

South Dakota

March 5, 1991
April 3, 1991
April 23, 1991
May 14, 1991
June 5, 1991
June 25, 1991
July 17, 1991
August 14, 1991
September 18, 1991
October 16, 1991
November 13, 1991

Wyoming

March 7, 1991 (Cody)
April 11, 1991
May 9, 1991 (Sheridan)
June 6, 1991
July 9, 1991 (Evanston)
August 8, 1991
September 12, 1991 (Rawlins)
October 17, 1991
November 14, 1991 (Douglas)
December 12, 1991
January 15, 1991

SMALL BUSINESS DEVELOPMENT SUBCENTERS

Ralph Steckman
Small Business Development Center
Gallatin Development Corporation
321 E. Main, Suite 413
Bozeman, MT 59715
Phone: (406) 587-3113
FAX: (406) 587-4434

Gary Mariegard
Small Business Development Center
Dawson Community College
Box 421
Glendive, MT 59330
Phone: (406) 365-2377
FAX: (406) 365-3470

Ralph Steckman
Procurement Technical Assistance
Gallatin Development Corporation
321 East Main, Suite 413
Bozeman, MT 59715
Phone: (406) 587-3113
FAX: (406) 587-4434

Dan Manning
Small Business Development Center
Flathead Valley Community College
Number One First Street East
Kalispell, MT 59901
Phone: (406) 752-5222
FAX: (406) 752-5526

Karl Dehn
Procurement Technical Assistance
Golden Triangle Development Authority
2800 Terminal Drive, Suite 208D
Great Falls, MT 59404
Phone: (406)454-2848
FAX: (406) 727-6929

Ralph Steckman
Procurement Tech. Assistance
Headwaters RC&D
305 W. Mercury, Suite 212
Butte, MT 59701
Phone: (406) 782-7333
FAX: (406) 782-9675

(Excerpt from September, 1990 MT. Dept. of Commerce "DISPATCHES".)

SMALL BUSINESS DEVELOPMENT CENTER (BUSINESS DEVELOPMENT DIVISION)

The Small Business Development Center (SBDC) provides services that constitute the direct technical assistance component of Montana's economic development effort, including consulting, training and information in finance, marketing, export, data management, government contracting, community development and business licensing. The SBDC program has offices in Butte, Helena, Glendive, Great Falls, Kalispell and Bozeman. The SBDC also administers Community Development Block Grant funding for economic development projects and provides information regarding business relocation and expansion.
Joining the SBDC are the Office of Research & Information Services (ORIS), and the Census & Economic Information Center (CEIC). Together, ORIS/CEIC provide a comprehensive economic and demographic information resource for the department, for a variety of both public and private agencies, and for individual Montanans. The CEIC is the state's lead agency in the U.S. Census Bureau's State Data Center (SDC) and Business/Industry Data Center (BIDC) programs, and is the state agency designated as central to the receipt, reproduction and distribution of maps and data produced from the 1990 Census.

(Excerpt from September, 1990, MT. Dept. of Commerce "DISPATCHES".)

SMART, NOT HARD, WORK WILL BE KEY TO CONTRACTORS' SUCCESS DURING '90s

The 1990s will be the decade of the head, not the feet, in construction, states Wes Brooker of Marketing Services for The Fails Management Institute, a

firm that provides marketing services for contractors.

Contractors will have to work smart, not hard, to battle more competition and the need for diversification. "Universally, contractors promote quality, excellent service, good people and on-budget/on-time projects," said Brooker. "These over-used, uncreative descriptions will not make it in the 1990s."

Brooker cites several market trends that 1990 contractors must be aware of to succeed:

▪ Demographics (population, age distribution and employment changes), not the economy, will define construction markets. Contractors must realize that they are not working in their father's market.

▪ Market planning is "one of the few chances a contractor will have to take control of his/her company's destiny in the 1990s. "Companies who succeed in the next 10 years will have marketing programs.

▪ The majority of corporate brochures tend to be a waste of time and resources. Most are egocentric and tend to focus on features rather than benefits. "Printers and creative houses are the real winners here."

▪ Properly-managed public relations will continue to be effective for general contractors, while advertising will continue as a poor alternative.

▪ Target marketing -- identifying ideal customers, markets and projects -- will be "the single most important aspect of market planning."

▪ The sales professional will be more important to a contractor's long-term survival. "This survival will depend on creativity and success in marketing and selling, not just success on the job site. You can't build what you don't sell."

▪ Marketing and sales will offer women excellent opportunities in the construction industry.▪

(Excerpt from July 16, 1990 Intermountain Contractor.)

EEO COMPLIANCE REVIEWS AND UTILIZATION ANALYSIS

When a contractor, who is undergoing an MDOH compliance review, has not achieved employment goals for females and minorities, a utilization analysis must be prepared and submitted with the pre-review data.

Based on construction employment patterns of previous years, the following areas are the most likely to be underutilized by both females and minorities:

Operating Engineers, Cement Masons, Ironworkers, and Truck Drivers.

"Underutilization" is defined as having fewer females or minorities in a particular job group than would reasonably be expected by their availability.

A separate utilization analysis should be developed for minorities and/or females if needed. The following steps, as

outlined in 41 CFR 60-2.11, shall be followed when compiling a utilization analysis for submittal with the compliance review documents.

In determining whether minorities and/or females are being underutilized in any job group, the contractor will consider at least all of the following factors:

(i) The minority/female population of the labor area surrounding the facility;
(ii) The size of the minority/female unemployment force in the labor area surrounding the facility;
(iii) The percentage of the minority/female work force as compared with the total work force in the immediate labor area;
(iv) The general availability of minorities/females having the requisite skills in the immediate labor area;
(v) The general availability of minorities/females having the requisite skills in an area in which the contractor can reasonably recruit;
(vi) The availability of promotable and transferable minorities/females within the contractor's organization;
(vii) The existence of training institutions capable of training persons in the requisite skills; and
(viii) The degree of training which the contractors is reasonably able to undertake as a means of making all job classes available to minorities/females.

Current labor force information is available from the Department of Administration, Census Bureau, Capitol Station, Helena, Montana 59620.

If you have any questions regarding the compilation of a utilization analysis, call Sam Prestipino at (406) 444-6331.

SBA REPORT

More Venture Capital

More than half of all new products come from small businesses, according to the U.S. Small Business Administration (SBA). To encourage even more creativity, the SBA has launched an eight-step plan to broaden participation in the agency's Small Business Innovation Research (SBIR) program. One initiative will increase the number of venture capital firms listed in the SBA's Commercialization Matching System, a database that links potential investors with small businesses with new products. For further information about the SBIR program, call the Office of Innovation, Research and Technology at (202) 653-6458.

(Excerpt from Nov./Dec. Executive Female.)

NATIONAL ASSOCIATION OF MINORITY CONTRACTORS

The National Association of Minority Contractors (NAMC) is a full service non-profit minority

business trade association, established in 1969, to address the needs and concerns of minority contractors nationwide. Currently, NAMC's membership base covers 46 states, the District of Columbia and the U.S. Virgin Islands.

NAMC's membership consists of, but is not limited to, general contractors, subcontractors, construction managers, manufacturers, suppliers, local minority contractor associations, funded technical assistance organizations, state and local government agencies, attorneys and accountants.

As a full-service membership organization, NAMC's headquarters' staff is committed to the enhancement of member firms and provides members with many programs and services. Among those offered are educational and training programs and assistance to minority contractors seeking procurement opportunities throughout the nation.

The NAMC is an association you may be interested in either obtaining additional information about, joining or both.

The NAMC has a monthly newsletter containing information which is both interesting and informative.

Additional information on joining and/or being placed on their mailing list is available by writing to:

National Association of
Minority Contractors
Attn: Ralph C. Thomas, III,
Editor
133 F Street N.W.
Suite 500
Washington, DC 20004

or calling:

(202)347-8259

Asbestos Abatement Project

NAMC is sponsoring a five-day course entitled "Supervision of Asbestos Abatement Projects: Course and Workshop." Each course is offered to train individuals who perform, supervise, or oversee asbestos abatement work. It is intended to help contractors, architects, engineers, health and safety professionals, and asbestos coordinators more effectively handle the issues involved in asbestos abatement projects. A wide scope of topics are covered beginning with contract specifications, legal considerations, selecting and protecting the workers, sealing off the work area, minimizing airborne fibers, cleaning up the work area and disposing of the material. NAMC's course has been granted FULL APPROVAL by the U.S. EPA for accreditation of asbestos abatement contractors, supervisors, and project designers.

NAMC's Training Courses

The Asbestos Abatement Courses have been designed to accommodate contractors/supervisors and workers.

1) *Contractors/Supervisors Course*

Five-day (40 hrs) Training Course

Consists of 32 hrs of
Lectures and Demonstration
6 hrs of Hands-on Training
2 hrs written examination

2) *Workers Course*

Four-day (32 hrs) Training
Course Consists of 24 hrs
Lectures and Demonstrations
6 hrs of Hands-on Training
2 hrs Examination

Don't forget to indicate your Course Preference on your Registration Form, page 13.

EPA-Approved Trainers

All workshops will be conducted by EPA-accredited training institutions. Such institutions will teach the specified courses as well as provide the necessary hands-on training required by the current EPA model accreditation program for the abatement of asbestos in school buildings.

All faculty members of such training institutes have been approved as qualified instructors by the EPA.

Certification

This is an EPA-approved course. Upon successful completion, contractors will be eligible to bid nationwide on $50 million in grants and loans which EPA has awarded to states with school buildings having the most serious asbestos problems. Where an individual state has its own asbestos abatement certification procedures, the contractors must comply with those state requirements even though he/she has successfully completed this course.

Examination

An exam will be offered at the conclusion of each workshop. Successful completion of this exam results in the issuance to the participant a certified numbered certificate. This certificate will show that the participant has demonstrated an adequate understanding of the course material by successfully passing an examination on the various topics covered in the course. Information on participants who successfully complete this course will be kept on permanent file at the NAMC National Headquarters in Washington, D.C.

Orlando, Florida
April 22-26, 1991

Omni International Hotel
400 W. Livingston Street
Orlando, Florida
1(407)843-6664

The Asbestos Abatement Training Course will be held at the Omni International Hotel in downtown Orlando. Hotel reservations must be made no later than Thursday, March 21, 1991. To obtain the special rate of $90.00 for single occupancy or $100.00 for double occupancy, you must indicate that you are attending the NAMC Asbestos Abatement Training Course.

Refresher Course
Asbestos
Contractor/Supervisor
Cleveland, Ohio
May 20, 1991

Sheraton Hotel
777 St. Clair Ave.
Cleveland, Ohio
1-(216)771-7600

This one-day course is designed to meet the Annual Refresher update required under AHERA regulations. State requirements may vary. It provides an update on new equipment, procedures, regulations and offers supervisors an opportunity to get together with others in the field 5555to share experiences.

Airfare/Travel

USAir . . . . . 1-(800)334-8644

USAir Airlines has been designated as the official carrier for NAMC attendees. Special discount rates have been provided for your convenience. For information on air travel reservations and discount tickets, you must indicate that you will attending NAMC's Asbestos Abatement Training Course. Please make travel reservations at least 30 days in advance, and be sure to use your Gold File Number:

Cleveland: GF-514538
Florida: GF-514536

Alamo Rent-a-Car

Alamo Rent-a-Car is offering special rates for NAMC attendees. All NAMC attendees registering for the Asbestos Abatement Training Courses will be issued an Alamo membership ID card which will be returned with your registration package upon receipt of your application.

Course Registration

There is a registration fee of $100.00. However, such fee will be refunded upon successful completion of the course. Please complete the attached form and return it with your check to NAMC within ten (10) days prior to the course start date. The maximum capacity for each course is thirty (30) students. **Do not delay in registering.** See registration form on page 13.

MONTANA STATE-WIDE BUSINESS TRAINING CALENDAR

General Information

The State-Wide Business Training Calendar provides a listing of business training events conducted in the state. Every organization in the state, including private, is invited to participate by sending training schedules.

The calendar is maintained and distributed by the Small Business Development Center (SBDC). In addition, it is available online through the Business Information System at 444-4457. To be added to the mailing list, please call Karen at (406)444-4780 or write the SBDC at:

Department of Commerce
1424 Ninth Avenue
Helena, MT 59620

If you or your agency is receiving duplicate copies of the calendar, please notify us so we can update our mailing list.

Abbreviation:

DOC--Department of Commerce
SBDC--Small Business Development Center, DOC
BDD--Business Development Division, DOC
PTAC--Procurement Technical Assistance Center, DOC
SBA--Small Business Administration
UM--Continuing Education, University of Montana
CoC--Chamber of Commerce
CES--County Extension Service
SCORE--Service Corps of Retired Executives
PDC--Professional Development Center, Dept. of Admin.
CS--The Computer School
MSL--Montana State Library
MDPA--Montana Data Processing Association
FWI--Financial Women International
MBA--Montana Bankers Association
JSEC--Job Service Employer Committee
SOICC--State Occupational Information Coordinating Comm.
BPW--Business & Professional Women

First Quarter, 1991

2/26 Is This for Me?
Great Falls CES 727-4643
2/27 Choosing a Microcomputer
Kalispell SBDC 756-3834
2/27 Tapping Into Business Resources
Hamilton SBA, UM
RC&D (800)243-6840
2/27 Is This for Me?
Browning CES 873-5063
3/5 Financing
Great Falls CES,SBDC 727-4643
3/5 Feasibility Analysis
Roundup CES 323-2704
3/6 Marketing for the 90s
Fairmont SBDC, CoC
SCORE,REDI 782-7333
3/6 Business Over Breakfast Series
Missoula UM 243-4623
3/6 Tapping Into Business Resources
Helena SBA,UM
HAEDCO (800)243-6840
3/6 Financing
Browning CES,SBDC 873-5063
3/6 Feasibility Analysis
Glendive CES 365-4277
3/9 A Youth, Women, & Minority Seminar
Pablo SBA 449-5381
3/9 Taxes for Sole Proprietorship
Missoula WEDGo 543-3550
3/11 So You Are Thinking About Starting a Business?
Kalispell SBDC 756-3834
3/11& The Game of Financial Management
3/13 Kalispell SBDC 756-3834
3/11 Small Business Institute
3/15 Missoula WEDGo 543-3550
3/12 Business Planning
Roundup CES 323-2704
3/12 Customer Relations
Great Falls CES 727-4643
3/13 Tapping Into Business Resources
Missoula SBA,UM
Mis.EDC (800)243-6840
3/13 Business Over Breakfast Series
Missoula UM 243-4623
3/13 Business Planning
Glendive CES 365-4277
3/13 Customer Relations
Browning CES 773-5063
3/19 Marketing
Roundup CES 323-2704
3/20 Business Over Breakfast Series
Missoula UM 243-4623
3/20 Marketing
Glendive CES 365-4277
3/23 Marketing Workshop: Finding, Reaching & Selling to Customers
Dillon WEDGo 686-6106
3/23 Dollar Control: Basic Money Management for Small Business
Dillon WEDGo 686-6106
3/26 Is This for Me?
Glendive CES 365-4277
3/26 Is This for Me?
Roundup CES 323-2704
3/27 Business Over Breakfast Series
Missoula UM 243-4623
3/26 Improved Career Decision Making
3/28 Fairmont SOICC 444-3235

Second Quarter, 1991

4/2 Financing
Roundup CES,SBDC 323-2704
4/3 Financing
Glendive CES,SBDC 365-4277
4/3 Tapping Into Business Resources
Butte SBA,UM
Bte LDC (800)243-6840
4/9 Customer Relations
Roundup CES 323-2704
4/9- Improved Career Decision Making
4/11 Billings SOICC 444-3235
4/9- Improved Career Decision Making
4/11 Billings SOICC 444-3235
4/10 Customer Relations
Glendive CES 365-4277
4/10 Customer Relations
Glendive CES 365-4277
4/23 Small Business Clinic Seminar
Havre CoC,
Revenue 265-4383
4/23- Improved Career Decision Making
4/25 Kalispell SOICC 444-3235
4/24 Secretaries Day Program
Missoula UM 243-4623
5/2 Tapping Into Business Resources
Billings SBA,UM
Coc (800)243-6840
5/3 Tapping Into Business Resources
Sidney SBA,UN
GREDC (800)243-6840
5/7 Adv. WordPerfect 5.1 for Business

	Missoula	UM	243-4623
5/9	Adv. WordPerfect 5.1 for Business		
	Missoula	UM	243-4623
5/10	Access to Credit		
	Helena	SBA,MBA	449-5381
5/14	Adv. WordPerfect 5.1 for Business		
	Missoula	UM	243-4623
5/15	Selling the Closely Held Firm		
	Missoula	SBDC	756-3834
5/16	Adv. WordPerfect 5.1 for Business		
	Missoula	UM	243-4623
5/16	How to Increase Sales & Improve Profit		
	Missoula	SBDC	756-3834
5/16	Lotus 1-2-3 for Business		
	Missoula	UM	243-4623
5/17	Managing Cash Flow in the Smaller Growing Firm		
	Missoula	SBDC	756-3834
5/20	Selling the Closely Held Firm		
	Great Falls	SBDC	756-3834
5/21	How to Increase Sales & Improve Profit		
	Great Falls	SBDC	756-3834
5/22	Managing Cash Flow in the Smaller Growing Firm		
	Great Falls	SBDC	756-3834
5/23	Lotus 1-2-3 for Business		
	Missoula	UM	243-4623
6/5	Tapping Into Business Resources		
	Great Falls	SBA,UM	(800)243-6840
6/6	Tapping Into Business Resources		
	Havre	SBA,UM BPDC	(800)243-6840

The purpose of this section is to list seminars/topics still in the development or idea stage. If you would like to participate in or be considered as a location for any of the above, please call the contact number. Also, if you have any topical ideas for future seminars for placement in this section, contact the SBDC.

MDOH - LABORERS - A.G.C. TRAINING SCHOOL

April 1

For the fourth consecutive year, the Laborers A.G.C. Training Program for Montana is the recipient of federal-aid OJT supportive services funds. Compliance Officer Sam Prestipino of the MDOH Civil Rights Bureau is the consultant for the contract.

The funds will be used to train individuals in entry-level laborers' skills, including safety, pipelaying, compaction, concrete work, sandblasting and flagging.

Emphasis will be placed on the recruitment of at least twenty-two women and/or minorities to train in these areas. In addition to training these individuals, the Program will provide monitoring to determine placement success.

New-entry classes are scheduled to begin on April 1, 1991 and will run through May 24, 1990. Each class will consist of two weeks of classroom and hands-on training. Trainees are provided with room and board during their two-week stay in Helena.
The Laborers' A.G.C. Training Program for Montana was established in 1972. The Program owns a twenty-acre facility in Helena which includes classroom area, dormitories and a dining facility. Daniel F. Holland has held the position of Training Director since 1982.

Federal Highway Administration has described the Laborers A.G.C. Training Program's course for new-entry laborers as probably one of the best OJT supportive services program(s) nationwide. The MDOH has been commended by FHWA for its use of federal-aid funds in supporting the Training Program.

MDOH INFORMATION

The Highway Department has just published its "Report to the 52nd Legislature." It has some useful information about how the Highway Program is funded, what the next ten years look like, changes in how the Highway Department handles certain aspects of projects, and proposed projects for 1992-93. If you would like a copy of this report, you can get it from the Information Unit, Montana Department of Highways, 2701 Prospect Avenue, Helena, MT 59620.

CONTRACTOR'S GROSS RECEIPTS TAX

THE GOOD NEWS is that you got your first estimate on your contract. THE BAD NEWS is that the prime contractor has withheld retainage and gross receipts tax. THE GOOD NEWS is that you may be able to get part of that gross receipts tax back.

The State of Montana taxes contractors' gross receipts (gross receipts is the same as the total of your contract or subcontract) at the rate of 1%. Either the owner (for instance, the Montana Department of Highways) or the prime contractor is to withhold 1% from your estimate and send it to the State on your behalf.

At the Department of Revenue, Miscellaneous Tax Division, they are keeping track of the gross receipts tax that has been paid in to your account all during the year. It is listed under your contractor's license number. If you want to know how much tax has been withheld from you and paid in, you can get a recap of the year's activity by contacting the Department of Revenue. (Robert Conway / 444-2465)

You have until July of the following year to apply for a refund of some or all of your withheld gross receipts taxes. THIS IS HOW YOU DO IT.

All during the calendar year, as you pay <u>personal property tax</u> (tax on equipment and county tax on vehicles), keep track of those expenditures. (keep your receipts.) By completing a refund form and submitting those receipts, you can get a refund of your gross receipts tax up to the amount of personal property tax you have paid.

If there is still some gross receipts tax left over after you claim your personal property tax, this can be used to offset any <u>Montana corporate license tax or Montana individual income tax</u> that you owe for the year. <u>Let your tax preparer know</u> if you have gross receipts tax "left over." Don't expect the tax preparer to know about this unless you alert them - gross receipts tax credit is one of those "odd little wrinkles."

If you don't file for a refund of your gross receipts tax or use it as a credit against your Montana tax liability by July of the following year, you will lose it. So, <u>use it or lose it</u>.

Prepared by Brooke Flynn of Metro Business Associates, Inc. under contract to the Montana Department of Highways.

NEW LAWS AFFECT CONTRACTORS IN 1991

Members of the 101st Congress introduced 6,963 bills and resolutions in 1990, according to the National Association of Plumbing, Heating and Cooling Contractors. But when Congress adjourned last fall, only 256 bills were signed into law. Following is a brief synopsis of Civil Rights related laws:

S. 933, Public Law 101-336 - Americans with Disabilities Act

This law prohibits discrimination on the basis of disability in employment, public services and public accommodations. It requires PHC contractors to make "reasonable accommodations" for disabled workers, unless these accommodations present an "undue hardship" for the employer.

The Equal Employment Opportunity Commission (EEOC) is expected to issue preliminary regulations to implement this law by early 1991, and allowances or an exemption may be made to exclude onsite construction projects from the "reasonable accommodations" section of the law.

In the budget reconciliations agreement Congress provided small firms a new tax credit so they could comply with the ADA.

Any company that has gross receipts of $100,000 or less in the preceding tax year or employs 30 or fewer full-time employees, is permitted to take a credit of up to $5,000 for eligible access expenditures incurred in complying with the "applicable requirements" under the ADA.

S.2104-Civil Rights Bill

This legislation would have reversed or modified six 1989 Supreme Court decisions that narrowed the scope of laws prohibiting employment discrimination. It would also permit monetary damage awards to individuals who feel they have been discriminated against on the basis of race, sex, religion or national origin.

The legislation was approved by both the Senate and House, but vetoed by President Bush on the grounds that it would lead employers to adopt hiring and promotion quotas as a means of avoiding costly litigation.

The Senate failed to override Bush's veto by a vote of 66-34, one vote short of the two-thirds necessary for passage. But this legislation is expected to be reintroduced in a modified form during the 102nd session.

H.R. 7, Public Law 101-392-Vocational Education

1.6 billion was authorized for fiscal 1991 for programs that serve non-collegiate continuing education. The law authorized $125 million in 91 for new programs in which students can start a vocational-training program in their last two years of high school and complete it during two years at a community college or post-secondary school.

(Excerpt from the January 21, 1991 Intermountain Contractor.)

DJ:Q:CR:si:9.gg

NAMC

NAMC REGISTRATION FORM
Asbestos Abatement Training Program

Name: _____

Social Security No.: _____ – _____ – _____

Organization: _____

Organization Address: _____

City: _____ State: _____ Zip: _____

Business Phone: _____

CHECK COURSE DATE ATTENDING

– BOSTON, MASSACHUSETTS
October 22-26, 1990

– ORLANDO, FLORIDA
April 22-26, 1991

– SAN FRANCISCO, CALIFORNIA
January 21-25, 1991

"Asbestos Refresher Course"
– CLEVELAND, OHIO
May 20, 1991

Mail application to: Alfred L. Barrett, Project Director
National Association of Minority Contractors
1333 F Street, N.W., Suite 500
Washington, DC 20004
(202) 347-8259

CHECK COURSE REQUIRED: SUPERVISOR: _____ WORKER: _____ REFRESHER _____

NATIONAL ASSOCIATION OF MINORITY CONTRACTORS
1333 F STREET, N.W. SUITE 500
WASHINGTON, D.C. 20004

Save On Registration With The Early-Bird Discount

How To Evaluate Your Facilities for ADA Compliance

An Innovative Two-Day Training Program

A nationally licensed training program for companies required to meet the federally mandated guidelines of

The Americans With Disabilities Act

March 25/26, 1991 • Kansas City, MO

Theraplan Incorporated
A Non-Profit Organization
3015 Woodsdale Blvd
Lincoln, NE 68502-5053

PAID

DIRECTOR
DISADVANTAGED BUS ENTERPRISE
DEPT OF HIGHWAYS
CAPITOL STATION
HELENA MT 59620

From a non-profit, technical assistance organization that has been helping to develop accessible facilities since 1973 :

R • E • G • I • S • T • R • A • T • I • O • N

FAST-FAX-REGISTRATION

Reserve your seat in this valuable training program by faxing your registration to us today. We will bill you for the total fee so you will qualify for the **Early-Bird Registration Discount !**

YES ! We want the following persons from our company/organization to learn how to evaluate our facilities for **ADA Compliance** Please register them immediately and bill our organization at the address below

Name #1 _____

Name #2 _____

Name #3 _____

Name #4 _____

Company _____

Address _____

City _____ ST. ____ Zip _____

Contact Person _____

Day Phone _____ FAX _____

You may also mail your registration and payment to us at
THERAPLAN/ADA Training
3015 Woodsdale Blvd
Lincoln NE 68502-5053
Or register by calling **402/421-3172**

FAST FAX TO 402/421-8095 • TODAY !

Seminar Location: Kansas City, Mo
Seminar Dates: March 25/26, 1991
Site: Embassy Suites Hotel
Kansas City International Airport

Tuition: $395/person
$295/person with EARLY-BIRD REGISTRATION
or if two or more persons from the same company/organization register together.

Registration Deadlines:

EARLY-BIRD = February 22, 1991
All Registration = March 15, 1991

Cancellation: You will receive a full refund less a $45 administration fee if we receive your cancellation up to two weeks prior to the session date. If you cancel after March 15, 1991, you will receive a 50% refund of your registration fee

This innovative seminar requires only one overnight stay at the hotel site Tuition includes the training presentation, refreshment breaks, reception dinner, complimentary breakfast on day two, and resource materials. No smoking or tape recording will be allowed

This seminar will illustrate your support of The Americans With Disabilities Act and will stand as part of your "good faith" effort to comply with its requirements

" With facility reviews costing as much as $400 each, this seminar can save your company/organization thousands in compliance evaluations !"

Theraplan Incorporated is a non-profit, tax-exempt organization authorized under Section 501(c)(3) of the Internal Revenue Code All of the proceeds from this program support our tax-exempt, technical assistance purposes

If you own, manage, operate, develop, design, work in, or plan to use any of the following facilities, you must know about ***ADA...***

•**INNS** • HOTELS • **MOTELS** •RESTAURANTS •**BARS** •MOTION PICTURE HOUSES •**THEATRES** •CONCERT HALLS •**STADIUMS** •AUDITORIUMS •**CONVENTION CENTERS** •LECTURE HALLS •**BAKERIES** •GROCERY STORES •**CLOTHING STORES** •HARDWARE STORES •**SHOPPING CENTERS** •LAUNDROMATS •**DRY CLEANERS** •BANKS •**BARBER SHOPS** •BEAUTY SHOPS •**TRAVEL SERVICES** •SHOE REPAIR SERVICES •**GAS STATIONS** •ACCOUNTANTS OFFICES •**LAWYERS OFFICES** •PHARMACIES •**INSURANCE OFFICES** •PERSONNEL OFFICES •**HOSPITALS** •MUSEUMS •**LIBRARIES** •ART GALLERIES •**PARKS** •ZOOS •**NURSERIES** •PRIVATE SCHOOLS •**DAY CARE CENTERS** •SENIOR CENTERS •**HOMELESS SHELTERS** •FOOD BANKS •**GYMS** •HEALTH SPAS •**BOWLING ALLEYS** •GOLF COURSES •

According to the **Americans With Disabilities Act** (PL 101-336) none of these public accommodations may discriminate on the basis of physical disabilities. Only private clubs and religious organizations are exempt.

■

This comprehensive seminar will train you and your management staff to assist your organization with.....

- **physical barrier identification in your existing facilities**
- **auxiliary aids and services development for persons with visual or hearing impairments**
- **new construction and remodeling efforts to achieve compliance and reduce penalties and excessive costs**
- **how to handle complaints and challenges to your compliance program**
- **how to respond to the needs of the disabled and avoid legal problems**

Your compliance program
must be in place by the January 26, 1992 deadline. This seminar will help you meet that deadline.

After this seminar, you and your staff will be able to evaluate the barriers at your facilities and develop a program for their removal — and meet the federally mandated requirements of ADA.

P • R • O • G • R • A • M A • G • E • N • D • A

DAY ONE

230P - 530P - The Basics of ADA

The main element of this opening session is the basic components of ADA - **what it is and how it affects your facility operations**. Specific focus will be on the requirements of the legislation, its good faith provisions, its compliance issues, and techniques you may use to meet your legal obligations.

630P - 900P Reception Dinner (provided) and Innovations Presentation

This special evening program is devoted to reviewing design innovations which will reduce your compliance costs and help you improve your ADA public relations program.

It also features a review of manufacturers and suppliers of products/services available for ADA compliance.

DAY TWO

730A - 930A Complimentary Breakfast (provided)

930A - 1130A Evaluating Your Facilities for ADA Compliance

This session takes you and your staff through a step-by-step evaluation process. It reviews barrier removal procedures and cost estimating techniques.

"In-house evaluations by untrained employees could be voided by the Federal Courts !"

Who should attend this program !

Business Development Center Directors • Shopping Center Developers • Hospital Managers • Commercial Facility Managers Hotel/Motel Developers • Facility Management Executives • Risk Management Executives •Personnel Executives • Office Management Executives • Business Franchise Developers and Consultants • Visitors Bureau Directors • Business Owners

T • U • I • T • I • O • N

Tuition for this valuable program is only **$395/person**.

Only **$295/person** with **EARLY-BIRD REGISTRATION** or if two-or more persons from the same company/organization register together.

Pre-Registration **is required**. No registration will be accepted after **March 15, 1991**.

We recommend you register for the seminar and make your hotel reservations as early as possible to assure your participation in the program.

S • P • E • A • K • E • R • S

Richard L. Austin is an Associate Professor with the College of Architecture, University of Nebraska - Lincoln. He has extensive experience in accessibility design and programs for business facilities. He has authored and reviewed several books on the subject of barrier-free design, and has taught design for special populations since 1975.

He was recently appointed to the Universal Design Panel of the National Endowment for the Arts as a recognized specialist on the subject of accessibility design.

He is one of the founding directors of THERAPLAN INCORPORATED and has coordinated its technical assistance program since 1973.

Joe Greve is a nationally recognized consultant on barrier-free design and former Executive Secretary for the Governor's Committee On Employment of the Handicapped in Topeka, KS. He has extensive experience in accessibility evaluations and directed the Mayor's Office for the Disabled in both Topeka and Kansas City, Kansas.

He has served as Training Specialist for Kemp and Young Consultants for 503/504 compliance in national, barrier-free programs, and has assisted hundreds of businesses on disability employment issues.

His experience and insights with the disabled will help you easily understand your obligations under ADA.

"For you to prove "undue hardship" in federal court, you will be required to have an acceptable facility evaluation by a trained individual. Unfortunately, just your statement of hardship will not be enough to avoid the penalties !"

MONTANA STATE LIBRARY
ATTN: HAROLD CHAMBERS
DEADHEAD

DBE/WBE
Montana Department of Highways
2701 Prospect Ave.
Helena, MT 59620

600 Copies of this Public Document were published at an estimated cost of $.45 per copy for a total cost of $271.94, which includes 157.94 for printing and $114.00 for distribution.